UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,160	12/31/2001	Shmuel Shaffer	062891.0623	9353

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EXAMINER
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ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/039,160	SHAFFER ET AL.
	Examiner	Art Unit
	Quynh H Nguyen	2642

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 July 2004*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-50* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-50* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 103

2.   Claims 1, 5, 7, 8, 12, 14-17, 21, 23, 24, 28, 30-33, 37, 39, 40, 44, 46-48 are

rejected under 35 U.S.C. 103(a) as being unpatentable by Dinwoodie (U.S. Patent

6,415,269) in view of Hemmady et al. (U.S. Patent 4,894,824).

Regarding claims 1, 5, 17, 21, and 37, Dinwoodie teaches establishing a

multiparty communication session involving a plurality of participants, each participant

associated with a device (col. 2, lines 55-58 and Fig. 1, input device 18 and display 20);

prompting "active participants" of a multiparty communication session to identify

themselves (col. 4, lines 2-28); if no password or PIN has been input, the telephone call

is terminated (col. 4, lines 14-15 and 21-23) (reads on claimed limitation "disabling

media from a particular device from which no active participant is identified to terminate

communication of the media...").

However, Dinwoodie does not teach after establishing the multiparty

communication session, the participants identify themselves as active participants and

disabling media from a particular device previously used by one of the participants and

from which no active participant is identified to terminate communication of the media

from the particular device to other devices in the multiparty communication session.

Hemmady et al. teach if a connection request by the data switches MINTs 11 is ignored or no acknowledgement of a request or the connection is up and active received within a prespecified time, the MINTs time out or disable the connection request (col. 25, line 58 through col. 26, line 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of timing out the connection request if no acknowledgement is received to identify as active link or active participant, as taught by Hemmady, in Dinwoodie's system, in order to save system resource and avoid the link or port being tied up. For example, in a teleconference system, there are only 8 ports available and not all callers can joint because of the limited number of ports. Therefore, it would be beneficial if the system periodically checks for active participant, if no response from the participant indicating that the participant is not active and disabling the media form that particular inactive participant to allow other callers to joint the conference.

Regarding claims 7, 8, 23, 24, 39, and 40, Dinwoodie teaches receiving a response from the active participant via DTMF (col. 3, lines 27-30); speech recognition (col. 3, lines 30-32).

Regarding claims 12, 28, and 44, Dinwoodie teaches identifying to the active participants a list of the active participants (col. 5, lines 57-60 - all participants know the location of the bidder, bidder identification).

Regarding claims 14, 15, 30, 31, 46, and 47, Dinwoodie teaches each active participant identifies himself ("Personal Identification Number - PIN").

Claims 16, 32, and 48 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Dinwoodie teaches determining devices connected to the multiparty communication session streaming voice packets (equipment used by participant at the remote site - col. 3, lines 12-16); and disabling media from the device, which no active participant is identified (col. 4, lines 14-15 and 21-23).

Claim 33 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Dinwoodie teaches a media encoded in logic (processor 26).

3.   Claims 6, 9-11, 22, 25-27, 38, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinwoodie (U.S. Patent 6,415,269) in view of Hemmady et al. (U.S. Patent 4,894,824) and further in view of Horn (6,556,670).

Regarding claims 9, 25, and 41, Dinwoodie does not teach filtering out responses from the active participants to prevent communication of the responses to the other devices in the multiparty session.

Horn teaches a solution to prevent music-on-hold signal emanating from a conferee from being passed through an audio conference bridge by directing a merging/summing subsystem of the audio conference bridge to temporarily stop ("filter out") (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features mentioned above as taught by Horn, in Dinwoodie's system in order to prevent communication of the annoying responses from being transmitted unnecessarily to the other conferees.

Regarding claims 6, 22 and 38, Dinwoodie does not teach disabling media comprises on-hold content. Horn teaches the system determines the existence of an offending conferee (i.e., conferee transmitting music on-hold - abstract and col. 2, lines 5-53); the audio from the offending conferee is temporarily stopped ("disabled" - abstract and col. 2, lines 5-53).

Regarding claims 10, 11, 26, 27, 42, and 43, Dinwoodie does not teach periodically playing to the particular device for which the media is disabled a prompt inviting the participant to re-join the multiparty communication session and enabling media from the particular device in response to receive a re-join request from the particular device.

Horn teaches the offending conferee receives a prompt to re-join the audio conference ("a prompt inviting the participant to re-join the multiparty communication session" - col. 2, lines 47-51), and a touchtone command is received at the controller from the offending conferee to re-join the conference (col. 3, lines 5-10).

It would have been obvious to one of ordinary skill in the art to incorporate the mentioned above features, as taught by Horn in Dinwoodie's system in order to have a user-friendly system.

4.   Claims 2-4, 13, 18-20, 29, 34-36, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dinwoodie (U.S. Patent 6,415,269) in view of Hemmady et al. (U.S. Patent 4,894,824) and further in view of Hanson et al. (U.S. Patent 6,457,045).

Regarding claims 2, 18, and 34, Dinwoodie does not teach prompting the active participants to identify themselves in response to at least a request from one of the participants but rather processor 26 prompts the active participant.

Hanson et al. teach the initiating participant can be prompted to remind the unresponding participants to response, if any participants do not respond, they are assumed to be not attending the scheduled event (col. 15, lines 4-15).

However, prompting the active participants in a conference to identify themselves is well known and the advantage of using it is also well know. For example, participant A logged into the conference as userA is prompted to identify himself or herself, if the participants do not respond, they are assumed to be not attending the conference.

Regarding claims 3, 4, 19, 20, 35, and 36, Dinwoodie teaches each participant including the participant making the request needs to enter his or her password, PIN, and bidder number (col. 4, lines 2-28) for authentication purposes.

Claims 13, 29, and 45 are rejected for the same reasons as discussed above with respect to claims 2, 18, and 34. Furthermore, Dinwoodie does not teach identifying the list of active participants to a particular active participant in response to a query by the particular active participant.

5.   Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dinwoodie (U.S. Patent 6,415,269).

Claim 49 is rejected for the same reasons as discussed above with respect to claims 1, 7, and 8. Furthermore, Dinwoodie teaches receiving an audio stream from each of a plurality of participants to a conference call (col. 2, lines 52 through col. 3, line

5). However, Dinwoodie does not teach receiving a control signal from a participant to the conference call indicating the conference call is receiving on-hold content from at least one on-hold endpoint. Putting the conference call on-hold by the participant is well known and the advantage of using this feature is also well known, for example, a conferee would perform other task during a conference call and do not want to bother others participants by pushing the hold button.

6.   Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable Horn (U.S. Patent 6,178,237) in view of Dinwoodie (U.S. Patent 6,415,269).

        Regarding claim 50, Horn teaches the conference bridge comprising: an input buffer (Fig. 1, 403 and 408) to receive incoming audio streams ("frame") generated by the participants; a cross-connect to cross-connect an audio stream from each participant to conference output stream (col. 1, line 46-67); Horn also teaches the output signals for the participant represented by the summation of each input signal multiplied by a gain element parameter, thus allowing each participant to vary that parameter for the input signals associated with one or more participants with features such as whispering, muting... (Col. 1, line 55 through col. 2, line 14) reads on claimed "the conference stream output generator for each participant operable to combine each audio stream received from the cross-connect multiple independently controlled by the participant and to generate a conference output stream for the participant"; and output buffer (Fig. 1, 401 and 414).

Horn does not teach an on-hold handler operable in response to a participant request to communicate with the participants, to identify active participants and to disable audio streams generated by devices associated with non-active participants.

Dinwoodie teaches an interactive remote auction bidding system for conducting an auction among participants located at remote locations 12a-n to communicate with an auction site 14 via a communications network 16, for example, video telephone conferencing display (col. 2, line 52 through col. 3, line 5) comprising: prompting "active participants" of a multiparty communication session to identify themselves (col. 4, lines 2-28). When a bidder call a 1-800 number to auction site 14, thereby establishing a communications path via link 22a, network 16, and link 28 to receiver/transmitter processor 26, the bidder/caller becomes <u>a member of the conference call</u> or <u>active participant</u> at the time he or she is prompted to enter an identification such as a password, a PIN, a bidder number. Dinwoodie further teaches that if no password or PIN has been input, the telephone call is terminated (col. 4, lines 14-15 and 21-23) reads on claimed "disabling media from a particular device from which no active participant is identified to terminate communication of the media..."

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of disabling media from a particular device from which no active participant is identified to terminate communication of the media from the particular device to other devices in the multiparty communication session, as taught by Dinwoodie, in Horn's system in order save system resource by disabling media from a device from an inactive participant.

Response to Arguments

7.   Applicant's arguments with respect to claims 1-48 have been considered but are

moot in view of the new ground(s) of rejection. Claims 49 and 50 are not amended;

therefore, they are rejected with the same ground(s) as presented in previous office

action. Applicant's arguments are response in the above claims rejections.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
November 15, 2004

AHMAD MATAR
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